

Prob12D
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

REQUEST FOR HEARING
TO MODIFY CONDITIONS OR TERMS OF SUPERVISION

Name of Offender: **Jack Thai**

Case Number: **2:23CR00109**

Name of Sentencing Judicial Officer: **Honorable Raymond J. Dearie**

Date of Original Sentence: **July 27, 2021**

Original Offense: **Conspiracy to distribute and possess with intent to distribute at least 1,000 kilograms of marijuana.**

Original Sentence: **30 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **January 11, 2023**

Date Jurisdiction Transferred to District of Nevada: **June 14, 2023**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

The offender not having waived a hearing, the probation officer requests that a summons be issued, and a hearing held to modify the conditions of supervision as follows:

1. **No Gambling** – You must not engage in any form of gambling (including, but not limited to, lotteries, on-line wagering, sports betting) and you must not enter any casino or other establishment, *except for the purpose of employment, as approved and directed by the probation officer*, where gambling is the primary purpose (e.g., horse tracks, off-track betting establishments).

CAUSE

On July 27, 2021, Jack Thai was sentenced in the Eastern District of New York, by Honorable Raymond J. Dearie, United States District Judge, to a term of 30 months' imprisonment followed by three (3) years supervised release for committing the offense of Conspiracy to Distribute and

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Possess with the Intent to Distribute at least 1,000 kilograms of marijuana. On June 5, 2023, the case was reassigned to the Honorable Margo K. Brodie, Chief United States District Judge.

On January 11, 2023, Thai commenced supervised release in the District of Nevada.

On April 5, 2023, Thai failed to report to drug testing. He sent the undersigned a text message at 8:31pm stating that he was stuck in traffic and did not think he would make it on time. Drug testing is open from 9:00 am to 9:00 pm, and Thai is unemployed, so he had no valid reason for not making it to drug testing on time.

On April 17, 2023, Thai submitted to a drug test that was confirmed positive by the national laboratory for cocaine.

On April 25, 2023, the undersigned met with Thai in the Probation Office. The undersigned discussed the positive drug test. Thai stated that he was at a party and drinking. He was offered cocaine and used it. The undersigned presented Thai with a Waiver of Hearing to Modify Conditions of Probation/Supervised Release (Prob 49) that would include a no gambling condition. The undersigned explained to Thai that according to what he disclosed in his presentence report, he had a gambling addiction. This gambling addiction was so severe that he used money for him, and his wife's basics needs on his wagers. His gambling addiction was partially the reason for his divorce. Thai stopped gambling for years following the divorce; however, in 2015, he began gambling again and used credit cards to finance his wagers and did so until his arrest in the instant offense. Thai declined to agree to the modification. The undersigned advised Thai that is his right to decline, and the undersigned will be getting jurisdiction of his case, and then will request a hearing before the Court to recommending the condition, if the Court is agreeable. Thai explained that there is more to do at the casinos than gamble. The undersigned stated that she is aware of that, however, based on his prior gambling problem and his poor decision making with recent cocaine use, the undersigned feels that the condition is appropriate.

On May 23, 2023, Thai submitted to a drug test that was confirmed positive by the national laboratory for cocaine. Thai stated that he went to the Electric Daisy Carnival (EDC) with some friends. Thai was re-referred to substance abuse treatment as no treatment was originally recommended. On June 15, 2023, Thai completed his second assessment and was enrolled in substance abuse treatment sessions.

In addition to the two positive drug tests, since commencing supervision, Thai has not been very proactive. He has been unemployed since the start of his supervision. The undersigned officer sent him emails for job fairs and places that were hiring. Additionally, the undersigned referred him to Goodwill Free Career Center. He completed their orientation on May 3, 2023; however, he failed to follow-up and when the undersigned would ask about his progress, he would just state that he was waiting on them.

On June 14, 2023, jurisdiction of Thai's case was accepted by Your Honor.

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On July 24, 2023, the undersigned officer met with Thai in the Probation Office as he failed to report to drug testing on July 21, 2023. The undersigned once again followed up with him regarding his progress with Goodwill and he stated that they needed him to verify that he is a U.S. Citizen. Thai showed the undersigned an email from Goodwill that was dated July 10, 2023. The undersigned noted the date of the email was two weeks ago and he had not made any progress towards obtaining the necessary verification and was just mentioning it to the undersigned. The undersigned advised Thai that he has been on supervision for approximately six months, and he is not doing well. He does not appear to be motivated and is not making good choices.

The undersigned officer respectfully requests that a hearing be held to address Thai's violations with the recommendation that Thai's conditions of supervision be modified to include no gambling.

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **August 7, 2023**

 Digitally signed by
Annis C. Seopaul Sones
Date: 2023.08.07
15:59:52 -07'00'

Annis C. Seopaul Sones
United States Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2023.08.07 15:47:55
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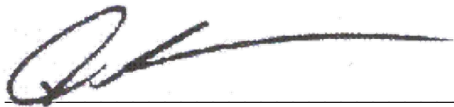
Todd J. Fredlund
Supervisory United States Probation Officer

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THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a summons.
- ☐ Other



Signature of Judicial Officer

August 8, 2023

Date